

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

RONALD JACKSON,  
Plaintiff,

v.

PEOPLE OF OCTOBER 19-20, 1994,  
Defendants.

:  
:  
:  
:  
:  
:  
:

PRISONER  
CASE NO. 3:09-cv-1673(CFD)

**RULING AND ORDER**

Plaintiff, currently incarcerated at the Wyoming Facility in Attica, New York, has filed a complaint pro se under 42 U.S.C. § 1983 (2000). Plaintiff names as defendants in the case caption the people of October 19-20, 1994. The allegations concern incidents occurring fifteen years ago and plaintiff alleged that he previously filed cases concerning these incidents in New York courts.

On November 13, 2009, the court denied plaintiff's motion to proceed in forma pauperis pursuant to the three strikes provision, 28 U.S.C. § 1915(g). Plaintiff was afforded until December 4, 2009, to tender the full filing fee or the case would be dismissed. Instead of tendering the filing fee, plaintiff, on November 30, 2009, filed a Motion for Reconsideration.

Reconsideration will be granted only if the moving party can identify controlling decisions or data that the court overlooked and that would reasonably be expected to alter the court's decision. See Schrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). A motion for reconsideration may not be used to relitigate an issue the court already has decided. See SPGGC, Inc. v. Blumenthal, 408 F. Supp. 2d 87, 91 (D. Conn. 2006), aff'd in part and vacated in part on other grounds, 505 F.3d 183 (2d Cir. 2007). Plaintiff cannot seek reconsideration to "plug gaps in an original argument or to

argue in the alternative once a decision has been made.” Horsehead Resource Dev. Co., Inc. v. B.U.S. Env'tl. Serv., Inc., 928 F. Supp. 287, 289 (S.D.N.Y. 1996) (internal quotation marks and citations omitted).

Plaintiff has not identified any facts or law that the Magistrate Judge overlooked when she denied his motion to proceed in forma pauperis. Instead, he argues the underlying claims.

Accordingly, plaintiff's Motion for Reconsideration [**Dkt. #6**] is **DENIED**. The complaint is **DISMISSED** for failure to tender the filing fee by the date specified.

**SO ORDERED.**

Dated at Hartford, Connecticut this 7th day of December 2009.

/s/ Christopher F. Droney  
Christopher F. Droney  
United States District Judge